

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 9 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning labor
- 3 and safety and to make an appropriation.
- 4 Page 6, between lines 41 and 42, begin a new paragraph and insert:
- 5 "SECTION 3. IC 22-11-14-12, AS ADDED BY P.L.187-2006,
- 6 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 UPON PASSAGE]: Sec. 12. (a) A user fee, known as the public safety
- 8 fee, is imposed on retail transactions made in Indiana of fireworks, in
- 9 accordance with section 13 of this chapter.
- 10 (b) A person who acquires fireworks in a retail transaction is liable
- 11 for the public safety fee on the transaction and, except as otherwise
- 12 provided in this chapter, shall pay the public safety fee to the retailer
- 13 as a separate added amount to the consideration in the transaction. The
- 14 retailer shall collect the public safety fee as an agent for the state.
- 15 (c) The public safety fee shall be deposited in the state general fund.
- 16 (d) The department of state revenue shall adopt rules under
- 17 IC 4-22-2 necessary for the collection of the public safety fee monies
- 18 from retailers as described in subsections (b) and (c).
- 19 (e) **An amount equal to the amount of the public safety fees**
- 20 **collected under this section is continuously appropriated from the**
- 21 **state general fund to the department of homeland security for the**
- 22 **following purposes:**
- 23 (1) **The department of homeland security shall use fifty**

1 percent (50%) of the amount appropriated under this
 2 subsection for public safety service providers or advanced
 3 training programs.

4 (2) The department of homeland security shall use fifty
 5 percent (50%) of the amount appropriated under this
 6 subsection for the following purposes, at the discretion of the
 7 executive director of the department of homeland security:

8 (A) For deposit in the state disaster relief fund established
 9 by IC 10-14-4-5. The amount deposited under this clause
 10 shall be used to pay for damage resulting from a disaster
 11 (as defined in IC 10-14-3-1) to a public facility (as defined
 12 in IC 10-14-4-4) owned by, maintained by, or operated by
 13 or on behalf of an eligible entity (as defined in
 14 IC 10-14-4-2), in accordance with IC 10-14-4.

15 (B) To defray:

16 (i) the costs of response;

17 (ii) the costs of recovery; or

18 (iii) the twenty-five percent (25%) of the costs required
 19 to be paid by local jurisdictions;

20 that accrue because of a disaster that is the subject of a
 21 disaster declaration by the federal government.".

22 Renumber all SECTIONS consecutively.

(Reference is to ESB 9 as printed March 27, 2007.)

Representative Crooks